

# *The Pentecostal Revival Assoc., Inc.*

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Rt. 4, Box 1506, Palatka, Fl. 32177

The Gospel Vision WJGV-TV49 (904) 325-6323  
The Pentecostal Revival Center  
The Pentecostal Revival Academy



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MAY 7, 1998

MAY 11 1998

FCC MAIL ROOM

Secretary  
Federal Communications Commission  
1919 M Street, N.W., Room 202  
Washington, D.C. 20554

Dear Secretary,

Enclosed is an original and nine copies of Comments on the Proposed Rule Making, RM # 9260, to establish a "Class A" TV Service.

Sincerely,

A handwritten signature in cursive script that reads "James L. Harrell, Jr.". The signature is fluid and stylized, with the first and last names being more prominent.

James L. Harrell, Jr.  
Vice President  
The Pentecostal Revival Association, Inc.

c/o WJGV-LP  
Rt. 4, Box 1506  
Palatka, Florida 32177  
(904) 325-5854

James L. Harrell, Jr. C-8  
FCC DE KMB

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MAY 11 1998

DOCKET FILE COPY ORIGINAL

ORIGINAL FILED ROOM Before the

FEDERAL COMMUNICATIONS COMMISSION

Washington, DC 20554

In the Matter of )  
 )  
 ) RM # 9260  
PETITION FOR RULEMAKING )  
FOR "CLASS A" TV SERVICE. )  
 )

COMMENTS ON PROPOSED RULE MAKING

The Pentecostal Revival Association, Inc. ("PRA"), owner and operator of the licensed low power television station, WJGV-LP, hereby submits these comments toward the recent petition of the Community Broadcast Association, Inc. ("CBA"). CBA's petition requests amendment of the Television Broadcast station Rules in Part 73 to create a "Class A" TV Service, which according to CBA would, on a prospective basis, avoid unnecessary displacement of low power television stations that provide substantial local programming to their local communities.

The Pentecostal Revival Association, Inc. has also filed a petition with this Commission to amend the current DTV assignment to protect WJGV-LP, which has been scheduled for displacement.

## OVERVIEW

In the early 1980's the Commission established rules which allowed for the existence of the Low Power Television Industry. The Commission created and established these rules to allow broadcasters the ability to go into areas of service, which might not be valued enough to expend a full power TV station. Further, the Commission recognized that this could be a stepping stone for a broadcaster to become a full power service, in that, after first proving years of dedication as a low power secondary station, it might be allowed to become a full power station.

The Pentecostal Revival Association, Inc., founded by the Rev. Dolly Harrell of Palatka, Florida, was one of the first to apply for such a LPTV station. Unfortunately, in the early 1980's there were many thousands of applications filed. As a result, there were years of procedural delay as the FCC sorted through the multitude of applications. By the time PRA's application was got around to, a new full power station had moved into Orlando, Florida. The result was interference on the channel PRA had applied for at that time. Thus, PRA were denied that opportunity.

Although discouraged, the Rev. Dolly Harrell did not forget her dream of having a television station. In 1983, PRA petitioned this Commission to allot the analog channel 63 to the TV Table of Assignments. The FCC accepted that petition and did assign the analog channel 63 to Palatka,

Florida. Subsequently, PRA filed an application for that proposed full power TV station for Palatka, Florida. In a competitive hearing the judge found that both competing applicants were qualified, but awarded the construction permit to PRA's competitors on a minority preference.

Again disheartened, the Rev. Dolly Harrell did not lose sight of her dream. In a last effort, PRA filed again for another LPTV Station, channel 49, for Palatka, Florida. This application was accepted and a grant was given, which is now WJGV-LP, The Gospel Vision, TV 49..

Channel 63, however, was never built by the minority group which the FCC had awarded it, but by the time the permit expired, PRA was no longer able to resubmit for it due to the Freeze Order on New TV Construction Permits.

PRA's Low Power TV, The Gospel Vision as it is called, went on the air for the first time on December 16, 1991. Since that period of time, WJGV-LP has well served the community of Palatka, Florida.

In late 1996, this Commission published that Waivers of the Freeze Order upon permit allocations for vacant television allotments would be accepted. PRA subsequently submitted a waiver request and application, Form 301, for the channel 63, which it had been influential in having assigned to Palatka, Florida back in 1983. The file # for that application is 960917IK.

PRA in all truthfulness, expected to receive that CP

grant, which would have been the best avenue for solution of WJGV-LP's problem of channel displacement by the year 2001, which is due to all the new DTV channel assignments. Little did PRA know that the channel 63 would be given to the Public service sector and thus closed its only hope of advancement.

PRA's concern of not losing WJGV-LP's valued public service, and the dream of Rev. Dolly Harrell of having a full power TV Station, was short lived. The decision of this Commission to give away channel 63 to the public service sector, makes that application probably null, although the application is still technically pending and the application fee of \$ 3,170.00 is still in the hands of this Commission.

The proposed New Service DTV station, which will occupy channel 49, will not meet the required separation limits set forth under the FCC Rules. The resulting signal interference between the DTV channel 49 and Analog TV channel 49 will consequence a shut down of WJGV-LP in that the current FCC determinations have declared existing low power television stations, such as WJGV-LP, are of a secondary status to any full power station, thereby making this valued local service to the community expendable.

Respectfully, PRA feels that the Commission has not fully lived up to the promises given to the low power industry concerning upgrades. Most Low Power TV Stations, such as WJGV-LP, have never been given the avenue to become a full power station, and when the avenue was opened, it was

soon shut closed.

Furthermore, the current proposal to auction off the remaining TV channels to the highest bidder, has sealed the fate of the stations like WJGV-LP, who can not compete in money with the big boys. Channel auctions, along with the DTV process, are just another way to make the broadcast industry a true monopoly.

REASONS FOR AMENDING PART 73 OF THE FCC RULES TO ESTABLISH A "CLASS A" TV SERVICE, BY WHICH WJGV-LP COULD GAIN STATUS AND AVOID DISPLACEMENT.

1. Loss of Current Service to the Community.

WJGV-LP, The Gospel Vision as it is called, has been serving the community of Putnam County, Florida for over 5 years with informational needs pointed solely at the licensed community. Major Community events that promote and help the impoverished in our society are aired free of charge for the public's interest. Programs promoting The Salvation Army, The Alzheimers Hospice Care, The Walk For The Needy are but a few of many worthy local organizations that WJGV-LP helps to support.

All Putnam County Commission Meetings are aired over the Gospel Vision, WJGV-LP, keeping the residents of Putnam County, Florida fully abreast with the happenings of their local government. WJGV-LP also airs special meetings of The Putnam County School Board, The Palatka City Commission, The

Putnam Planning Board, and The Putnam County Zoning Board in order to keep the Putnam County, Florida resident better informed of those concerns also.

WJGV-LP airs and covers local political and election events. Local candidates are given prime time to express their views to the residents of the licensed community.

WJGV-LP fulfills the FCC's requirements for Children's Programming by broadcasting one full hour of programming for the children of Putnam County, Florida each weekday night. These programs are not only entertaining, but also have instructional value, allowing for enlightened programming for the youth of our society. Some of these programs are even originated locally.

It is PRA's opinion that the consequent loss of such a public service, which WJGV-LP now attributes to the community of Palatka, Florida, to be replaced by a duplicate programming service, in that the proposed New Service Digital station will operate as a satellite station of the existing analog TV station, should not be allowed, especially since this New Service Digital TV Station is not even in the same ADI Metro Market.

Palatka, Florida is outside of the Metro ADI of Jacksonville, Florida, whereas, Daytona Beach, Florida is inside a top 30 ADI of itself. Thus, a station serving Daytona Beach, Florida is unable to serve a rural market of Palatka, Florida as effectively as a TV station that

dedicates itself solely to that community.

2. Full Service Obligation without the respect.

The Cable Act of 1992 recognized the realization that some LPTV Stations fulfilled a valued service to their communities. Under the Cable Act of 1992, Low Power Television Stations like WJGV-LP, who met the necessary guidelines of full power status, were afforded equal rights as full power TV Stations regarding Must Carriage over the local cable TV systems.

It only seems logical that this Commission should afford the same right of existence under those same guidelines.

Thus, for these reasons noted, this Commission should, in PRA's opinion, review the Petition by CBA to establish a "Class A" TV service, which would allow qualified Low Power TV stations the protection needed from displacement, and in most cases the consequential shut down of service.



### CONCLUSION

Under the current DTV channel assignments, a proposed New Service DTV station channel 49 has been given to a full power TV station in Daytona Beach, Florida. That Digital channel 49 station will not meet the required separation limits set forth under the FCC Rules. The resulting same channel signal interference between the DTV channel 49 of Daytona Beach, Florida, and the Low Power TV analog channel 49 of Palatka, Florida will consequence a shut down of WJGV, TV 49. This consequent loss of a valued public service to the community of Palatka, Florida should not take place to duplicate a programming service, nor should it take place in order to fulfill a "Star Wars" dream of what TV should look like in the future.

WJGV-LP, The Gospel Vision, went on the air for the first time on December 16, 1991. Since that period of time, WJGV-LP has well served the community of Palatka, Florida.

WJGV-LP has proven its full power duty before this Commission in that it was afforded Must Carriage Rights over the Cable Television Systems of Putnam County, Florida. That right was afforded under the Must-Carry Rule of the Cable Act of 1992. Respectfully, this Commission should also afford the right of existence for those same reasons.

WJGV-LP has shown to the people of Putnam County, Florida that it is willing to serve the community of license. WJGV indeed supplies news and informational needs to the

community of Putnam County, Florida that no other TV station does. The Commission should recognize that a loss of a local public service, such as WJGV-LP now preforms, should not be expended unjustly.

In the early 1980's the Commission established rules which allowed for the existence of the Low Power Television Industry. The Commission created and established these rules to allow broadcasters the ability to go into areas of service, which might not be valued enough to expend a full power TV station. Further, the Commission recognized that this could be a stepping stone for a broadcaster to become a full power service, in that, after first proving years of dedication as a low power secondary station, it might be allowed to become a full power station.

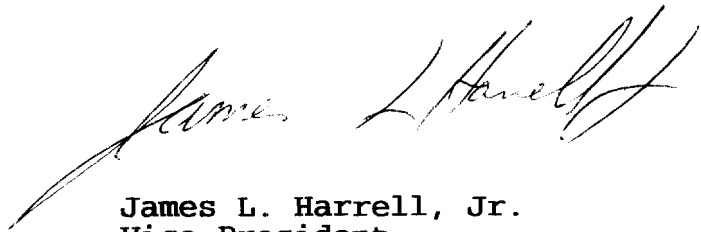
Respectfully, PRA feels that the Commission has not fully lived up to the promises given to the low power industry concerning upgrades. Most Low Power TV Stations, such as WJGV-LP, have never been given the avenue to become a full power station, and when the avenue was opened, it was soon shut closed.

Furthermore, the current proposal to auction off the remaining TV channels to the highest bidder, has sealed the fate of the stations like WJGV, who can not compete in money with the big boys. This auction proposal along with the DTV process is just another way to make the broadcaster industry a true monopoly.

This Commission has systematical stopped PRA's effort to advance into full power, and now by allotting WJGV's channel to the full power TV station, WNTD, TV 26, of Daytona Beach, Florida, for a New Digital TV Service, the Commission has also sealed its fate.

Whereforeas, The Pentecostal Revival Association, Inc., respectfully asks this Commission to review this matter and to see fit to amend Part 73 of the FCC Rule to establish a "Class A" TV service, which WJGV might gain status to avoid displacement and loss of valued public service.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "James L. Harrell, Jr.", written in dark ink.

James L. Harrell, Jr.  
Vice President  
Pentecostal Revival Assoc., Inc.